

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

DONALD van der VAART, in his official capacity as Secretary of the North Carolina Department of Environmental Quality; and the NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY,

Plaintiffs,

v.

GINA McCARTHY, in her official capacity as the Administrator of the United States Environmental Protection Agency; and the UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,

Defendants.

Case No. 5:16-cv-138-D

**ORDER**

Upon consideration of the Parties' Status Report and Joint Stipulation to Continue to Hold this Case in Abeyance, and for good cause shown, it is HEREBY:

ORDERED that this matter be held in abeyance until November 16, 2016. If the parties have not lodged with the Court a proposed consent decree that contains the terms of a proposed settlement of this action on or before November 16, 2016, the parties will submit a joint status report to advise the Court of their progress in resolving this case without further litigation.

DATED this 12 day of October, 2016.

  
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James C. Dever, III  
United States District Judge